IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: RAUL and DORA M RUIZ

Debtor(s)

CASE NO. 04-42352-H2-13

Chapter 13

TRUSTEE'S POSITION STATEMENT ON MOTION FOR RELIEF FROM STAY ON PROPERTY SECURED BY LIEN

Comes now, Daniel E. O'Connell, Chapter 13 Trustee in this case, and having reviewed the motion for relief from stay, states that:

(XXX) A Trustee's response in opposition to the Section 362 motion is not necessary to protect the interest of Debtor's estates.

( ) Based on the Debtor (s)'s schedules on file and Trustee's knowledge of this case. Debtor (s) may have equity in the property at issue and the property may be necessary for an effective reorganization. Therefore, to the extent Debtor (s) provide (s) adequate protection within the meaning of 11 U.S.C. Sec. 361 of the creditor's interest in the property as defined by 11 U.S.C. Sec. 506 (A), the automatic stay should not be lifted.

( ) Trustee opposes lifting the automatic stay pending this court's consideration of Debtor's plan for confirmation.

By submitting this statement to the creditor's counsel, Debtor (s)'s counsel, and the Debtor (s), I am requesting that the respective parties announce this Trustee's position at any court appearance made on the Section 362 motion. This statement is not intended to be filed with the clerk unless the Trustee's position becomes an issue at the hearing on 8/29/2005 09:30:00 A.M.

Respectfully Submitted,

DATED: AUGUST 08, 2005

/s/ Daniel E. O'Connell

DANIEL E. O'CONNELL
Chapter 13 Trustee
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